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SUBJECT: GEORGIA: SOUTH OSSETIANS SPURN OSCE WHILE
KAZAKHSTANI SPECIAL REP STANDS BY

REF: A. TBILISI 1810
[1](#)B. TBILISI 2131
[1](#)C. GENEVA 1038

Classified By: Deputy Chief of Mission Kent Logsdon for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary and comment. During a December 11 trip Tskhinvali, South Ossetian de facto representatives made clear to outgoing Greek OSCE Chairman Special Representative Christopoulos and his incoming Kazakh successor Bolat Nurgaliyev their lack of interest in an OSCE roving team, their tough (and inconsistent) stance on detentions, and their unwillingness to participate in the Incident Prevention and Response Mechanism (IPRM) in the near future. Nurgaliyev showed a deference to the de facto authorities, and an unwillingness to encourage the Russians to use their influence on the South Ossetians, which raised red flags among the OSCE staff. Christopoulos proposed a new idea for OSCE participation in the IPRM that had not been coordinated with other participants, including the EUMM and Georgia, an idea which will not go anywhere, but could complicate future conversations, including at Geneva. Gas for Akhalgori remains a pipe dream, with the Georgians insisting it be provided to local civilians only, not Russian forces, and the South Ossetians refusing to accept the condition. The South Ossetians seem to discern no compelling reason to cooperate on virtually any level or any issue with the international community, unless they perceive the opportunity to gain a bit more stature. If this initial performance is any indication, it appears Nurgaliyev's tenure as OSCE special representative may not yield breakthroughs in re-establishing a constructive role for the OSCE in Georgia or encouraging the South Ossetians to change their attitude. End summary and comment.

TOUGH TALKS -- AND A SYMPATHETIC NURGALIYEV

[1](#)2. (C) Ambassador Christopoulos accompanied Ambassador Nurgaliyev on the latter's first trip to South Ossetia. An OSCE staff member who went along, Rasa Ostrauskaite, provided the following readout of the visit. She said that Boris Chochiev, special representative of the South Ossetian de facto "president" (who represents the de facto authorities at the Geneva talks), initially expressed great respect for the OSCE as an institution and interest in having an OSCE presence in South Ossetia. He changed his tone radically, however, when responding to the actual proposal on the table. Christopoulos has been trying to negotiate an arrangement whereby a small number of OSCE staffers would be based in Vienna, but would travel to Georgia on a regular basis and would rove between Tbilisi and Tskhinvali.

[1](#)3. (C) The plan has met various stumbling blocks from both the Georgian and the South Ossetian sides (see ref A), but the OSCE staff had some hope that the sides were close to a

compromise plan. For example, the South Ossetians had objected to OSCE staff traveling into South Ossetia in OSCE vehicles -- even if they carried Austrian (as opposed to Georgian) plates. For their part, the Georgians objected to an alternate plan, whereby OSCE staff would travel in UNHCR vehicles that entered South Ossetia from the northern border with Russia. Rasa explained that the Georgians had recently shown flexibility on this point by agreeing in principle to the UNHCR vehicles coming from the north, as long as it was kept quiet. In the December 11 meeting, however, Chochiev kept quiet. In the December 11 meeting, however, Chochiev objected to the plan on different grounds: he said the de facto authorities could only accept visits from high-level (i.e., ambassadorial) representatives, such as Christopoulos and Nurgaliyev, but not from working-level staff alone. Since the team concept envisaged the regular presence being provided by working-level staff, this objection effectively killed the proposal. Christopoulos pushed hard for the plan, but Chochiev was adamant in his position.

14. (C) Ostrauskaite saw two possible explanations for the South Ossetian position. First, they like to build up the public relations aspect of any visits to South Ossetia, with ample press coverage, because such visits from the international community can be construed as bestowing a certain amount of legitimacy on the de facto authorities. It would be hard to use regular working-level visits in this way. Second, the more frequently working-level staff are present inside South Ossetia, the less control the de facto authorities might have over what they see and learn, and the South Ossetians are unlikely to be interested in providing real transparency.

15. (C) At this point in the conversation, according to KAZAKHSTANI SPECIAL REP STANDS BY

Ostrauskaite, Ambassador Nurgaliyev strayed far afield from the established OSCE position, which he had seemed to accept during their pre-visit brief. He expressed understanding for the South Ossetian position, reflecting respect for the South Ossetians as full-fledged, legitimate parties to the discussion, and indicated the OSCE was in no position to question or try to influence their stand. Nurgaliyev accepted Chochiev's position and said there was no need for formal arrangements for the OSCE. (In later internal OSCE discussions, he made clear to Ostrauskaite that he also did not consider it appropriate, or even useful, to approach the Russians about weighing in with the South Ossetians, because the South Ossetians were essentially an independent entity, and it was incorrect to assume that the Russians had any influence with them.)

NO MOVEMENT ON DETENTIONS OR THE IPRM

16. (C) Ostrauskaite said Chochiev took a hard stand on detentions as well. He denied that de facto officials had reached an agreement with Council of Europe Human Rights Commissioner Thomas Hammarberg to release the two remaining teenagers of the four who had originally been detained; he demanded that Georgia would have to release additional individuals before the two could be released (Note: the two teenagers were released 12/19. Reported septel. End note). He admitted that de facto "president" Kokoity may have mentioned something about a pardon for the two, but this was not a concrete offer or commitment. Chochiev also denied that there been any agreement about the six woodcutters who remain in South Ossetian detention. (Note: Hammarberg, who brought five released South Ossetian residents to Tskhinvali the day the first two teenagers were released, portrayed for us a very different understanding of his previous meetings with the South Ossetians; he told the Ambassador that Kokoity had promised to release the final two teenagers, and he told the DCM they were leaning toward releasing the six woodcutters. See ref B.) Ostrauskaite said what the South Ossetians really wanted was an all-for-all exchange for detainees dating back to the detention of Dudayev back in 2002, which she thought would be a non-starter for the Georgians, since Dudayev was a hardened criminal, while most

of the current detainees were innocent villagers who had wandered across the administrative boundary line. During the meeting, Chochiev and his deputy, Merab Chigoev, openly disagreed on the number of outstanding detainees; Chigoev thought it was 27, while Chochiev insisted it was 40.

17. (C) Ostrauskaite said Chochiev also made it clear that the de facto authorities would not participate in any further meetings of the IPRM until the three missing persons cases from October 2008 were resolved and their own concerns about the IPRM procedures were addressed. Chigoev said that the de facto authorities had recently received information that the three may in fact be alive, that they were brought from Akhagori to the Pankisi Gorge and recently to Georgia's Isolator Number 1, where they were currently being held. They had shared this information with the EUMM, who received permission from the Georgians to search the latter facility; they found no sign of the three. Chigoev was not satisfied with the EUMM's actions, however, and asked for additional Qwith the EUMM's actions, however, and asked for additional assistance in investigating the case. (Note: The EUMM has confirmed their search of the facility. The sudden hope that the three were alive seemed odd to EUMM staff, however, who noted that the de facto officials have insisted for about a year that the three are dead. EUMM Head of Mission Haber speculated that a family member heard a rumor about the three and insisted that the de facto authorities investigate. In his conversation with the Ambassador, Hammarberg agreed, describing the de facto authorities as under intense pressure from family members; he thought the rumors they gathered about their missing family members were based more on hope than on reliable, useful information.)

18. (C) According to EU Monitoring Mission (EUMM) political advisor Rosaria Puglisi, who attended a meeting with Christopoulos December 13, Christopoulos then went beyond his brief by proposing a revised plan for the IPRM that had not been agreed to by any other IPRM participants, including the EUMM and the Georgians. He suggested that the OSCE chairman's special representative (Nurgaliyev, as of January) could personally attend every IPRM meeting and, in addition, travel to Tskhinvali to meet with the de facto authorities before and after each meeting. In a conversation with us, Puglisi called a process foul, objecting that Christopoulos offered such a compromise with the de facto authorities before clearing it with his counterparts from legitimate entities. She also objected to the substance of the KAZAKHSTANI SPECIAL REP STANDS BY

proposal, arguing that it would create a separate forum, a mini-version of the IPRM with only limited participants, that would open the door to all kinds of abuse -- and the Kazakh OSCE representative who would conduct the meetings was at this point a little-known quantity. We pointed out that such a proposal was unlikely to go anywhere, but agreed raising it with the South Ossetians was unhelpful, because they could later -- such as at Geneva -- adopt a stance of being flexible enough to accept an OSCE idea that the Georgians would (presumably) reject.

GAS FOR AKHALGORI ALSO STUCK

19. (C) The OSCE team also explored the issue of providing gas to the Akhagori region of South Ossetia, which has emerged as a contentious issue; the Russians and South Ossetians accuse the Georgians of withholding gas from the region in order to score political points, but at the expense of the local (ethnically Georgia) population (see ref C). During the trip, the OSCE staffers met with the owner of the gas pipeline inside Akhagori, who informed them that he was willing to sell or rent the line to the de facto authorities; Itera Georgia is reportedly willing to supply the gas for a market price. At the beginning of the meeting with the de factos, Chigoev began to say he thought a deal could be worked out, but Chochiev cut him off. Chochiev informed the OSCE delegation that the cash was available to pay for the gas. He refused to pay for the use of the pipeline, however, calling it a strategic asset of the "country." Under such

conditions, the owner would presumably refuse to allow the use of the pipeline. Ostrauskaite thought this obstacle was surmountable, however, if a price were negotiated that included sufficient padding to cover the cost of compensating the line owner.

¶10. (C) More problematic is the question of who will have access to the gas. The Georgians have indicated their willingness to allow gas to flow if it is distributed only to the local civilian population, and not to Russian forces based in the region. The South Ossetian de facto authorities, however, refused to accept this condition, and during the November 11 Geneva talks, Ostrauskaite said they even admitted that some of the gas would flow to the Russians. At this point, Ostrauskaite does not see a solution in the near term, so the local population will continue to rely on firewood to heat their homes.
BASS